

MEMORANDUM

To: Agency Directors
From: Marcia Adams
Subject: Updated: Face Masks in State Government Buildings
Date: March 9, 2021

Agency Directors,

By Executive Order No. 2021-12, Governor Henry McMaster has directed that effective close of business March 5, 2021, face masks are encouraged to be worn in all state government offices, buildings, and facilities when it is not feasible to social distance, and that the South Carolina Department of Administration (Admin) would issue guidance on the directive.

The purpose of this memorandum is to provide guidance on the face mask directive for both employees and members of the public who enter state government offices, buildings, and facilities.

For purposes of this guidance, a state government office, building, and/or facility is defined as any building/facility or any portion of such a building/facility that is owned by the State of South Carolina, leased by a state agency, or occupied by a state agency for purposes of conducting state business (hereinafter referred to as "State Government Building").

I. State Government Buildings Located in a County or City with an Active Local Ordinance requiring Face Masks

For both employees and the public entering State Government Buildings located in a county or city with an active local ordinance requiring facial masks, those local ordinances should be followed, subject to the mandatory exemptions set out below. Please refer to SCEMD's [South Carolina County and Local Municipality Mask Ordinance dashboard](#) to determine the status of your location.

Pursuant to the Governor's Executive Order 2021-12, the following categories of individuals are exempt from wearing a face mask in a State Government Building, regardless of the location of the office, building or facility:

1. A child who is two years or younger or a child whose parent, guardian, or responsible adult has been unable to place the face mask safely on the child's face.
2. A person who is seeking to communicate with someone who is hearing impaired in a manner that requires the mouth to be visible.

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3. A person with a physical, mental or behavioral health condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove a face mask without assistance) that prevents wearing a face mask, provided that a non-employee or visitor who represents that they cannot wear a face mask for one or more of these reasons should not be required to produce documentation or any other form of proof of such condition.
4. A person is actively engaged in eating or drinking or obtaining a service that requires access to or visibility of the face.
5. A person who is engaging in strenuous exercise or physical activity.
6. A person who is operating or occupying a vehicle alone or with other persons who are members of the same household.
7. A person who is voting or assisting with the administration of an election, although wearing a face mask is strongly encouraged.
8. A person who must remove a face mask for purposes of identification or security screening or surveillance.
9. A person who is incarcerated in a correctional institution or short-term detention facility, which shall be governed by the rules and regulations of the applicable agency, institution, or facility.
10. A person for whom wearing a face mask would create a risk to the health or safety of the person due to their occupation, job function, or work assignment where wearing a face mask would be inconsistent with industry safety standards or protocols or federal, state, or local regulations or guidelines.

II. State Government Buildings Located in a County or City with no Local Face Mask Ordinance

For those employees working in a State Government Building where there is no local ordinance in place, the employees should follow the agency or institution's policy. Students, or other individuals participating in training, educational events, conferences, etc. in State Government Buildings should follow the policy of the agency or institution conducting the training, educational event, conference, etc.

General members of the public that are visiting State Government Buildings where there is no local ordinance in effect are encouraged to wear face masks when unable to appropriately social distance. The agency or institution should still meet the needs of the public and should not refuse to provide in-person service to an individual who is not wearing a face mask.

If an agency decides to implement a policy requiring face coverings for its employees in the State Government Building in which it is located, the following may be used as a guide:

Employees are required to wear face masks in state government buildings for the following locations/situations:

- *In any common area of a state government building, including, but not limited to, the following:*
 - o Entrances and exits.*
 - o Lobbies, hallways, elevators, stairwells, or restrooms.*

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- *While interacting in-person with the public.*
- *While interacting in-person with another employee or employees.*
- *While in a state vehicle with another individual, while in a vehicle for the purposes of conducting state business that is occupied by another individual, and while using drive-through services.*
- *In any area that the agency occupying the state government building determines that wearing a face mask is required.*

Face masks may be removed under the following conditions:

- *Meal Breaks: Face masks may be removed to eat or drink during breaks and lunch periods; however, at those times, employees must practice social distancing and maintain at least six feet from other individuals.*
- *Outside: Face masks are not required while working or spending time outside as long as physical distancing of six feet or more is maintained between the employee and other individuals.*
- *Individual Workspaces: All employees must wear face masks while conducting their job duties, unless their individual workspaces (office, cubicle) allow them to properly social distance and maintain six feet from other individuals.*

Pursuant to the Governor's Executive Order 2021-12, the following categories of individuals are exempt from wearing a face mask in a State Government Building, and these exemptions must be incorporated into any policy implemented by an agency:

1. A child who is two (2) years or younger or a child whose parent, guardian, or responsible adult has been unable to place the face mask safely on the child's face.
2. A person who is seeking to communicate with someone who is hearing impaired in a manner that requires the mouth to be visible.
3. A person with a physical, mental or behavioral health condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove a face mask without assistance) that prevents wearing a face mask, provided that a non-employee or visitor who represents that they cannot wear a face mask is one or more of these reasons should not be required to produce documentation or any other form of proof of such condition.
4. A person is actively engaged in eating or drinking or obtaining a service that requires access to or visibility of the face.
5. A person who is engaging in strenuous exercise or physical activity.
6. A person who is operating or occupying a vehicle alone or with other persons who are members of the same household.
7. A person who is voting or assisting with the administration of an election, although wearing a face mask is strongly encouraged.
8. A person who must remove a face mask for purposes of identification or security screening or surveillance.

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9. A person who is incarcerated in a correctional institution or short-term detention facility, which shall be governed by the rules and regulations of the applicable agency, institution, or facility.
10. A person for whom wearing a face mask would create a risk to the health or safety of the person due to their occupation, job function, or work assignment where wearing a face mask would be inconsistent with industry safety standards or protocols or federal, state or local regulations or guidelines.

If you have any questions, please feel free to contact me or Division of State Human Resources Director Karen Wingo (803-422-8645).